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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,223	01/18/2001	Gordon Bremer	061607-1430	7375
7590	03/05/2004			EXAMINER
Gordon Bremer Paradyne Corporation 8545 126th Avenue, North Largo, FL 33773			YANCHUS III, PAUL B	
			ART UNIT	PAPER NUMBER
			2116	

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/765,223	BREMER ET AL.	
	Examiner Paul B Yanchus	Art Unit 2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 April 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2. | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Objections

Claim 6 is objected to because of the following informalities: In line 3, the word "is" seems to be a typographical error. For examination purposes, examiner assumes that the word "is" should instead be "in". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 8-9, 11-12, 14-15, 17-23, 25-26 and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Fujimoto, US patent no. 6,104,937.

Regarding claims 1, 2, 11 and 17, 22, 28 and 30, Fujimoto teaches a communications power control system comprising:

a detector configured to detect a communication signal associated with a transmitter and to generate a control signal in response to detecting the communication signal [column 5, lines 5-25]; and

a transmitter power manager configured to receive the control signal and provide power to at least one element residing in the transmitter [column 5, lines 5-25].

Regarding claims 3, 18 and 29, Fujimoto teaches that all elements in the transmitter are powered on in response to the communication signal [column 5, lines 5-25]. It is inherent in the teachings of Fujimoto that a transmitter signal generating circuit would be powered since signal generating circuitry is present in all transmitters.

Regarding claims 4, 12 and 23, it is well known in the art that switchable devices are used to implement digital logic circuits. Therefore, since the power controller is a digital logic circuit, it is inherent in the teachings of Fujimoto that switchable devices would be used in the power controller to control where power is supplied.

Regarding claims 8, 9 and 19-21 Fujimoto teaches a system with a plurality of transmitters with corresponding detectors and power managers [column 5, lines 5-25].

Regarding claims 14-15 and 25-26, Fujimoto teaches removing power from transmitter circuitry when an absence of a communication signal is detected [Figure 1 and column 3, lines 3-13].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 10, 13, 16, 24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujimoto, US patent no. 6,104,937.

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Fujimoto teaches a communications power control system, as described above, but does not explicitly teach using transistors as the switchable devices in the power controller. However, transistors are well known switchable devices and the advantages of using transistors as switchable devices are well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art to use transistors as switchable devices.

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujimoto, US patent no. 6,104,937, in view of Bertin et al., US Patent no. 6,345,362.

Fujimoto does not teach controlling the power of individual elements in the transmitter. Bertin et al. teaches individually controlling power supplied to different functional units in an integrated circuit. Bertin et al. teaches only powering functional units that are needed at a particular time [column 4, lines 39-62].

It would have been obvious to one of ordinary skill in the art to combine the teachings of Fujimoto and Bertin et al. Selectively controlling the power of individual elements in the transmitter would optimize the power saving capabilities of the system.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gannage et al., US Patent no. 6,691,233, teaches providing power to transmitter circuitry when a communication signal is received.

Chan et al., US Patent no. 6,378,026, teaches detecting active communication and controlling power consumption accordingly.

Lin, US Patent no. 6,256,743, teaches controlling power supplied to individual functional units on a device.

JP 11262067 A teaches controlling power of transceiver circuitry.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul B Yanchus whose telephone number is (703) 305-8022. The examiner can normally be reached on Mon-Thurs 8:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on (703) 305-9717. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Paul Yanchus
February 23, 2004



THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100